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8	UNITED STATES DISTRICT COURT		
9	EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION		
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11	EDITH RODRIGUEZ HERNANDEZ; ELOY) CASE NO.: 1:02-cv-06527-LJO-GSA		
12	SUAREZ RODRIGUEZ, by and through his Guardian ad Litem, JESUS SUAREZ; DEZEQUIEL SUAREZ-RODRIGUEZ, by and ORDER THEREON ORDER THEREON		
13	through his Guardian ad Litem, JESUS) SUAREZ; DIANA SUAREZ RODRIGUEZ,) by and through his Guardian ad Litem, JESUS) SUAREZ		
14			
15	Plaintiff,		
16	vs.		
17	NATIONAL RAILROAD PASSENGER CORPORATION ("AMTRAK"), et al.,		
18			
19	Defendant)		
20			
21	Pursuant Federal Rule of Civil Procedure 41(a)(1), Plaintiffs, EDITH RODRIGUEZ		
22 23	HERNANDEZ; FRANCISCO SUAREZ; ELOY SUAREZ RODRIGUEZ, by and through his		
24	Guardian ad Litem, JESUS SUAREZ; EZEQUIEL SUAREZ-RODRIGUEZ, by and through his		
25	Guardian ad Litem, JESUS SUAREZ; DIANA SUAREZ RODRIGUEZ, by and through his Guardian ad Litem, JESUS SUAREZ (collectively "Suarez Plaintiffs") and Defendants		
26	NATIONAL RAILROAD PASSENGER CORPORATION ("AMTRAK"); BURLINGTON		
27	NORTHERN AND SANTE FE RAILWAY CO.; WALTER WARD and W.M. DIKE		
28	(collectively "Rail Defendants"), hereby stipulate as follows:		
	1 STIPULATION OF DISMISSAL AND [PROPOSED] ORDER THEREON		

1	1.	The Suarez Plaintiffs and the Rail Defendants have entered into a mutual
	1,	
2		release/settlement in which the parties have agreed to compromise, settle and
3		resolve their disputes on the terms and conditions set forth therein. Defendants
4		acknowledge receipt of the fully and properly executed Releases and Plaintiffs
5		acknowledge receipt of the settlement funds on May 26, 2009.
6	2.	Accordingly, the Suarez Plaintiffs and the Rail Defendants hereby agree that this
7		action should be and is dismissed and discontinued, with prejudice. Each party to
8		bear its own costs, expenses and attorney's fees.
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10	DATE	ED this 2 nd day of June, 2009.
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12		By: /s/ Peter J. McNulty Peter J. McNulty, Esq.
13		McNulty Law Firm
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16		Attorneys for Plaintiffs
17		
18		By: /s/ B. Clyde Hutchinson B. Clyde Hutchinson, Esq.
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20		Oakland, CA 94612-3541 Telephone: (510) 433-2600
21		Fax: (510) 433-2699 Attorneys for Defendants
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23	IT IS S	SO ORDERED.
24	Dated:Ju	ne 2, 2009 /s/ Lawrence J. O'Neill UNITED STATES DISTRICT JUDGE
25		OMILD STATES DISTRICT JUDGE
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